

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.306 OF 1998

Prabha widow of Mohan Dhuru & Ors.

..Petitioners

Vs.

Municipal Corporation for Greater Mumbai
and others

..Respondents

Mr.L.C.Chougule i/b.Sushma Bhende for the Petitioners.

Mr.V.Mahadik for the Respondent BMC.

**CORAM :- DR.S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI, JJ.**

DATE : 22ND NOVEMBER, 2006

P.C.

1. Heard the learned Counsel for the Petitioners
and the learned Counsel for the Respondent-
Corporation. Pursuant to an order passed by this
Court on 24th February, 1998 the Deputy Municipal
Commissioner (Zone-II) has already heard the
Petitioners and had passed the following order on 24th
June, 1998 :-

"Ward Officer (G/North) Ward shall within a
period of one week from the receipt of this
order, issue notice under Section 53(1) read
with Section 52 of the M.R.T.P. Act on the
Respondents No.3 to 5 to reconstruct the front
side wall with wooden windows and restore
status quo ante within a period of one month
and pursue the action further as per the
provisions under Section 53(1) of M.R.T.P.Act."

2. The Petitioner has been repeatedly approaching
the Ward Officer for compliance of the same. The
order has not been complied with by the said Ward

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Officer for the last almost eight years. Under these circumstances, we direct that the Ward Officer (G/North), Municipal Corporation for Greater Mumbai shall personally remain present in this Court on 24th November, 2006 at 11.00 a.m. sharp to explain, why this order has not been complied with for a period of eight years. The learned Counsel for the Respondent-Corporation Mr. Mahadik assures that this order will be telephonically communicated immediately to the concerned Ward Officer.

3. Matter stands adjourned to 24th November, 2006 at 11.00 a.m. at first on board.

(DR.S.RADHAKRISHNAN,J.)

(SMT.V.K.TAHILRAMANI,J.)